

REMARKS

Claims 71-89 are now pending in this application. Claims 71, 75, 77, and 79-82 are independent. Claims 1-70 are now canceled, and claims 71-89 have been added. No new matter is involved with any new claim, as further discussed below.

Indefiniteness Rejection Under §112¶2

Withdrawal of the rejection of claims 1, 47-58, 69 and 70 under 35 U.S.C. §112, second paragraph, as being indefinite, is requested. These claims have been canceled, thus rendering their rejection moot.

The newly presented claims 71-89 have been drafted in a manner that is believed to avoid the stated bases for indefiniteness.

For example, regarding new claim 71, generally corresponding to previous claim 1, each processing means has been clarified. Each processing means has been clarified in the other newly-presented claims.

Further, in claim 76, generally corresponding to previous claim 52, the claims have been clarified to identify that the cluster level is divided into plural levels in accordance with the number of conditions.

Accordingly, consideration and allowance of newly-presented claims 71-89 are respectfully requested.

Unpatentability Rejection over Walker et al. and the Examiner's Official Notice

Withdrawal of the rejection of claims 1, 47-58, 69 and 70 under 35 U.S.C. §103(a) as being unpatentable over Walker et al. (US Patent 5,794,207) in view of Examiner's Official Notice is requested. These claims have been canceled, thus rendering their rejection moot.

Newly-presented claims 79-89 have been drafted to avoid the previous rejections, as discussed below.

Distinctions over the Applied Art

The newly-presented claims are submitted as being clearly distinguished over the previously applied art.

For example, in claim 71, the first dealing processing means executes a sale by pre-engagement, when the buying information received from the buyer's terminal devices is transmitted to the seller's terminal devices, and subscription information for the transmitted buying information is received from the seller's terminal devices, based on the buying information and the subscription information.

By such processing, buyers who want to purchase goods at some time in the future, *e.g.* December 1, 2006, register buying information into the goods dealing apparatus. Various pieces of buying information may be registered into the goods dealing apparatus.

In the meantime, sellers who want to sell goods on December 1, 2006, choose buying information about goods to sell among various pieces of buying information registered, and transmit subscription information for the buying information. In the goods dealing apparatus, a sale by pre-engagement is executed based on the buying information and the subscription information. Accordingly, sellers can choose buying information about goods to sell some time in the future among much buying information.

Conversely, by the second dealing processing means, buyers can choose selling information about goods to purchase some time in the future among much selling information.

In addition, third dealing processing means executes a sale by pre-engagement automatically, when conditions of both of the buying information and the selling information meet.

As explained above, claim 71 of the present application is characterized in that three functions of dealing a sale by pre-engagement, *i.e.*, dealing a sale by pre-engagement according to seller sides, dealing a sale by pre-engagement according to buyer side, and automatic dealing by apparatus are provided.

The previously applied art fails to disclose the above recited information processing.

Further, Claim 72 includes a limitation of executing a sale by pre-engagement regarding selling information for goods that are not concluded in the first dealing processing, by the third dealing processing.

Claim 73 specifies a processing order of selling information when executing a sale by pre-engagement by the third dealing processing.

Claim 74 has a feature of extracting and displaying buying information and selling information that dealing conditions meet with each other among various buying information and selling information, as a feature of the screen composition in dealings.

Claim 75 has a feature of clustering many pieces of selling information and many pieces of buying information according to goods attributes, respectively, and executing a deal sequentially from the cluster having great numbers of conditions for clustering.

Claim 76 includes a feature that a cluster level is divided into plural levels in accordance with the number of conditions for clustering, and dealing processing is executed within the clusters having the same level.

Claim 77 has a feature that, regarding goods to deal at some time in the future, pre-confirmation dealing processing means for executing bargains when number of sales of goods is undecided and post-confirmation dealing processing means for executing bargains when number of sales of goods is decided are provided.

Claim 78 includes a limitation of specifying an unprocessed number of sales of goods.

Claim 79 has a feature that information about addresses of sellers and buyers, and distribution costs between two points in accordance with a quantity of shipment are stored; distribution cost is obtained based on addresses of seller and buyer; and the obtained distribution cost is presented to buyer side.

The previously applied art also fails to disclose the above recited information processing.

As discussed above, the means-plus-function limitations in each new claim are believed to be defined such that the differences between the claimed invention and the applied art is clearly distinguishable.

Conclusion

In view of the above amendment and remarks, Applicants believe that each of pending claims 71-89 in this application is in immediate condition for allowance. An early indication of the same would be appreciated.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number indicated below.

For any fees that are due, including fees for extensions of time, the Director is hereby authorized to charge any fees or credit any overpayment during the pendency of this application to CBLH Deposit Account No. 22-0185, under Order No. 21776-00050-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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